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(important)
cessation of hostilities
and depredations
upon emigrant trains

Hunley, Jan 67

(4)

TREATY

BETWEEN

THE UNITED STATES OF AMERICA

AND THE

SHOSHONEE-GOSHIP BANDS OF INDIANS.

CONCLUDED OCTOBER 12, 1863.

RATIFICATION ADVISED, WITH AMENDMENT, BY SENATE, MARCH 7, 1864.

AMENDMENT ACCEPTED NOVEMBER 24, 1864.

PROCLAIMED JANUARY 17, 1865.



ABRAHAM LINCOLN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Whereas a treaty was made and concluded at Tuilla Valley, in the Territory of Utah, on the twelfth day of October, in the year of our Lord one thousand eight hundred and sixty-three, by and between James Duane Doty and P. Edward Connor, Commissioners, on the part of the United States, and the hereinafter named Chiefs, Principal Men, and Warriors of the Shoshonee-Goship Bands of Indians, on the part of said bands of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit:

Treaty of peace and friendship made at Tuilla Valley, in the Territory of Utah, this twelfth day of October, A. D. one thousand eight hundred and sixty-three, between the United States of America, represented by the undersigned, commissioners, and the Shoshonee-Goship bands of Indians, represented by their chiefs, principal men, and warriors, as follows:

ARTICLE I.

Peace and friendship is hereby established and shall be hereafter maintained between the Shoshonee-Goship bands of Indians and the citizens and government of the United States; and the said bands stipulate and agree that hostilities and all depredations upon the emigrant trains, the mail and telegraph lines, and upon the citizens of the United States within their country, shall cease.

ARTICLE II.

It is further stipulated by said bands that the several routes of travel through their country now or hereafter used by white men shall be forever free and unobstructed by them for the use of the government of the United States, and of all emigrants and travellers within it under its authority and protection, without molestation or injury from them. And if depredations are at any time committed by bad men of their own or other tribes within their country, the offenders shall be immediately taken and delivered up to the proper officers of the United States, to be punished as their offences may deserve; and the safety of all travellers passing peaceably over either of said routes is hereby guaranteed by said bands.

Military posts may be established by the President of the United States along said routes, or elsewhere in their country; and station-houses may be erected and occupied at such points as may be necessary for the comfort and convenience of travellers or for the use of the mail or telegraph companies.

ARTICLE III.

The telegraph and overland stage lines having been established and operated by companies under the authority of the United States through the country occupied by said bands, it is expressly agreed that the same may be continued without hindrance, molestation, or injury from the people of said bands, and that their property, and the lives and property of passengers in the stages and of the employees of the respective companies, shall be protected by them.

And further, it being understood that provision has been made by the government of the United States for the construction of a railway from the plains west to the Pacific ocean, it is stipulated by said bands that the said railway or its branches may be located, constructed, and operated, and without molestation from them, through any portion of the country claimed or occupied by them.

ARTICLE IV.

It is further agreed by the parties hereto that the country of the Goship tribe may be explored and prospected for gold and silver, or other minerals and metals; and when mines are discovered they may be worked, and mining and agricultural settlements formed and ranchos established wherever they may be required. Mills may be erected and timber taken for their use, as also for building and other purposes, in any part of said country.

ARTICLE V.

It is understood that the boundaries of the country claimed and occupied by the Goship tribe, as defined and described by said bands, are as follows: On the north by the middle of the Great desert; on the west by Steptoe valley; on the south by Tooodoe or Green mountains; and on the east by Great Salt Lake, Tuilla and Rush valleys.

ARTICLE VI.

The said bands agree that whenever the President of the United States shall deem it expedient for them to abandon the roaming life which they now lead, and become settled as herdsmen or agriculturists, he is hereby authorized to make such reservations for their use as he may deem necessary; and they do also agree to remove their camps to such reservations as he may indicate, and to reside and remain thereon.

ARTICLE VII.

The United States being aware of the inconvenience resulting to the Indians in consequence of the driving away and destruction of game along the routes travelled by white men, and by the formation of agricultural and mining settlements, are willing to fairly compensate them for the same. Therefore, and in consideration of the preceding stipulations, and of their faithful observance by

said bands, the United States promise and agree to pay to the said Goship tribe, or to the said bands parties hereto, at the option of the President of the United States, annually, for the term of twenty years, the sum of one thousand dollars, in such articles, including cattle for herding or other purposes, as the President shall deem suitable for their wants and condition either as hunters or herdsmen. And the said bands, for themselves and for their tribe, hereby acknowledge the reception of the said stipulated annuities as a full compensation and equivalent for the loss of game and the rights and privileges hereby conceded; and also one thousand dollars in provisions and goods at and before the signing of this treaty.

JAMES DUANE DOTY,

Commissioner.

P. EDW. CONNOR,

Brig. Genl. U. S. Vols., Comd'g Dist. of Utah.

TABBY, x his mark.

ADASEIM, x his mark.

TINTSA-PA-GIN, x his mark.

HARRAY-NUP, x his mark.

Witnesses:

AMOS REED.

CHAS. H. HEMPSTEAD, Capt. and Chief Commissary Dist. of Utah.

WILLIAM LEE, *Interepeler*, [Interpreter.]

JOS. A. GEBON, Interpreter.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the seventh day of March, one thousand eight hundred and sixty-four, advise and consent to the ratification of the same by a resolution, with an amendment, in the words and figures following, to wit:

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,

March 7, 1864.

Resolved, (two-thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the "Treaty of peace and friendship, made at Tuilla valley, in the Territory of Utah, *this* [the] twelfth day of October, A. D. one thousand eight hundred and sixty-three, between the United States of America, represented by their commissioners, and the Shoshonee-Goship bands of Indians, represented by their chiefs, principal men, and warriors," with the following

AMENDMENT:

At the end of article 7 insert a new article, as follows:

ARTICLE 8.

Nothing herein contained shall be construed or taken to admit any other or greater title or interest in the lands embraced within the territories described in said treaty in said tribes or bands of Indians than existed in them upon the acquisition of said territories from Mexico by the laws thereof.

Attest:

J. W. FORNEY, Secretary.

And whereas the foregoing amendment having been fully interpreted and explained to Tabby, Adaseim, Tintsapagin, and Dick Moni, Chiefs, Principal Men, and Warriors of the Shoshonee-Goship Bands of Indians, they did, on the twenty-fourth day of November, one thousand eight hundred and sixty-four, give their free and voluntary assent to the same, in the words and figures following, to wit:

Whereas a treaty of peace and friendship was made and concluded at Tuilla Valley, in the Territory of Utah, on the twelfth day of October, A. D. one thousand eight hundred and sixty-three, between the United States of America, represented by their commissioner, James Duane Doty, and Brigadier General P. Edward Connor, and the Shoshonee-Goship bands of Indians, represented by their chiefs, principal men, and warriors; which treaty was ratified by the Senate of the United States on the 7th day of March, 1864, with the following amendment:

"Article 8. Nothing herein contained shall be construed or taken to admit any other or greater title or interest in the lands embraced within the territories described in said treaty in said tribes or bands of Indians than existed in them upon the acquisition of said territories from Mexico by the laws thereof:"

Now, the said amendment having been, this 24th day of November, A. D. 1864, at a council held with the said chiefs, principal men and warriors, at Tuilla Valley, under the instructions of the President of the United States, submitted to the said chiefs, principal men, and warriors for their consideration and acceptance, and the same having been read, and fully interpreted to them in their own language, the said chiefs and principal men and warriors, for themselves and for the Shoshonee-Goship bands of Indians, do hereby agree and consent to the said amendment to the said treaty; and do stipulate that the same shall be, and hereby is, accepted and adopted as one of the articles thereof, and forever binding upon them and their said nation.

In witness whereof the said commissioner and the superintendent of Indian affairs in the Territory of Utah, on the part of the United States, and the said chiefs, principal men, and warriors, on the part of the Shoshonee-Goship bands of Indians, have hereunto set their hands this twenty-fourth day of November, A. D. one thousand eight hundred and sixty-four.

JAMES DUANE DOTY,
Commissioner.

O. H. IRISH,
Supt. Indn. Affairs.

TABBY, x his mark.

ADASEIM, x his mark.

TINTSAPAGIN, x his mark.

DICK MONI, x his mark.

Witnesses:

AMOS REED, Secretary of Utah Ty.

D. B. HUNTINGTON, U. S. Interpreter.

WILLIAM LEE, Special Interpreter.

Now, therefore, be it known, that I, ABRAHAM LINCOLN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the seventh of March, one thousand

eight hundred and sixty-four, accept, ratify, and confirm the said treaty, with the amendment, as aforesaid.

In testimony whereof, I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington, this seventeenth day of January, in the [SEAL.] year of our Lord one thousand eight hundred and sixty-five, and of the Independence of the United States the eighty-ninth.

ABRAHAM LINCOLN.

By the President :

WILLIAM H. SEWARD,
Secretary of State.